

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MARILYN ANN PHILLIPS,

Plaintiff,

vs.

FARMERS INSURANCE COMPANY, INC.

Defendant.

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Case No. 17-CV-547-JED-JFJ

**JOINT STIPULATIONS OF PLAINTIFF AND DEFENDANT**

COME NOW the Plaintiff, Marilyn Phillips and the Defendant, Farmers Insurance Company Inc., and jointly submit the following stipulations.

- A. The tortfeasor, Dianne Rooker, had an insurance policy providing liability limits of \$100,000, which has been paid to the Plaintiff.
- B. The insurance policies issued by Farmers Insurance Company, Inc. to the Plaintiff, Marilyn Phillips, provided total of \$100,000,000 in UM/UIM coverage. From that coverage, Farmers has paid \$84,165 to Ms. Phillips, leaving \$915,835 in available coverage.
- C. The parties stipulate that no comment or evidence will be introduced at trial in regard to the coverage and policy limits of the tortfeasor's insurance policy and the UM/UIM limits of the policies issued by Farmers Insurance Company, Inc. to the Plaintiff.
- D. The parties stipulate that there will be no comment or evidence introduced in regard to payment to the Plaintiff from the tortfeasor's insurance policy and from the UM/UIM coverage and the policies issued by Farmers Insurance Company, Inc. to the Plaintiff.

- E. The parties stipulate that to determine the amount of a judgment to be entered in favor of the Plaintiff and against the Defendant, the Court must first subtract \$184,165 from the verdict, and must then apply a cap on damages in the amount of \$915,835.
- F. The parties stipulate that the treatment Ms. Phillips received in 2018 from Tulsa Bone & Joint/David Mokhtee, M.D. was not related to the motor vehicle accident on August 27, 2012.
- G. The parties stipulate that there is an error in the deposition transcript of James Rodgers appearing on page 58 at line 6. The court reporter wrote the word “but”, where he should have written the word “that”.

**Respectfully submitted,**

s/ Robert H. Taylor

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